

**MINUTES FOR THE COURT OF APPEAL  
STATE OF CALIFORNIA  
SECOND APPELLATE DISTRICT**

**May 19, 2009**

DIVISION ONE

Court convened at 9:00 a.m.

Present: Mallano, P.J., Rothschild, J., Ferns, J. (Assigned) and S. Stahl, Deputy Clerk.

Each of the following:

B204678 People v. Thurman & Brooks  
B206471 People v. Wilson  
B207118 People v. D.H.  
B207175 People v. Hayes  
B207351 People v. Danielson  
B208587 People v. D.K.  
B208912 People v. Gomez  
B209334 People v. Hernandez  
B209412 People v. Supek  
B210571 People v. Aviles  
B210478 DCFS v. T.V.  
B210545 DCFS v. T.V.

Argument waived, cause submitted.

B205955      229 W. 25th Street Tentants Association  
                 v.  
                 Trustee Properties LLC, et al.

Merits:

Argued by Y. Gina Lisitsa for appellant and no appearance for respondent.  
Cause submitted.

DIVISION ONE (continued)

B206601     People  
              v.  
              Spratlin

Merits:

Argued by William L. Heyman for appellant and by E. Carlos Dominguez, Deputy Attorney General, for respondent. The parties waived the presence of Weisberg, J. (assigned). Cause submitted.

B209070     People  
              v.  
              T.M.

Merits:

Argued by Lynette Gladd Moore for appellant and by Gary Lieberman, Deputy Attorney General, for respondent. Cause submitted.

B203233     People  
              v.  
              Guillory

Merits:

Argued by Matthew Alger for appellant and by James W. Bilderback II, Deputy Attorney General, for respondent. The parties waived the presence of Weisberg, J. (assigned). Cause submitted.

B204123     People  
              v.  
              Dorsett

Merits:

Argued by William J. Genego for appellant and by Susan S. Kim, Deputy Attorney General, for respondent. Cause submitted.

DIVISION ONE (continued)

B205003     People  
              v.  
              Cordero, Jr.

Merits:

Argued by Carol Boyk for appellant and by E. Carlos Dominguez, Deputy Attorney General, for respondent. The parties waived the presence of Weisberg, J. (assigned). Cause submitted.

B203883     People  
              v.  
              Northcutt

Merits:

Argued by Benjamin Owens for appellant and by Michael R. Johnson, Deputy Attorney General, for respondent. Cause submitted.

B207428     Richardt  
              v.  
              Hung

Merits:

Argued by Frank Molloy for appellant and by Audrey Powers Thornton for respondent. Cause submitted.

B205613     Cintora  
              v.  
              Bad Boys Bail Bonds, Inc.

Merits:

Argued by Joseph Farzam for appellant and by Jeffrey M. Cohon for respondent Bad Boys Bail Bonds, Inc. The parties waived the presence of Weisberg, J. (assigned). Cause submitted.

DIVISION ONE (continued)

B206000 Thompson  
v.  
McDonald's Corporation

Merits:

Argued by Jeffrey Isaac Ehrlich for appellant and by Jeffry A. Miller for respondent. The parties waived the presence of J. Weisberg (assigned). Cause submitted.

B203338 Boehr, et al.  
v.  
Discover Bank

Merits:

Argued by Julia B. Strickland for appellant and by Gretchen Carpenter for respondents. The parties waived the presence of Weisberg, J. (assigned). Cause submitted.

B203936 Vera  
v.  
Stewart Title Guaranty Co. et al.

Merits:

Argued by Sarvenaz Bahar for appellant and by Ryan Marden for respondent Stewart Title Guaranty Co. No appearance for respondent Century 21 Masters Realty. Cause submitted.

Ferns, J. (assigned) leaves the bench.

B209526 Onebeacon America Insurance Company  
v.  
Fireman's Fund Insurance Company et al.

Merits:

Argued by Susan J. Field for appellant, by Paul S. White for respondent Fireman's Fund Insurance Co. and by Joyce R. Dondanville for respondent Insurance of the West. The parties waived the presence of Weisberg, J. (assigned). Cause submitted.

May 19, 2009 (Continued)

## DIVISION ONE (continued)

Court adjourned.

B198046 People (Not for Publication)  
v.  
Pinks

Our previous opinion in this case filed on March 27, 2008, is vacated. The judgment is affirmed.

Rothschild, J.

We concur:   Mallano, P.J.  
                    Jackson, J. (Assigned)

B209265      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
W.J.

The orders modifying W.J.'s visitation with T.J. from unmonitored to monitored and in terminating W.J.'s family reunification services are affirmed.

Weisberg, J. (Assigned)

I concur:       Mallano, P.J.  
I concur and dissent:  Rothschild, J. (Opinion)

DIVISION TWO

B200410      People  
v.  
Ainsworth

Filed order denying petition for rehearing.

## DIVISION THREE

B208767 People (Not for Publication)  
v.  
Omar Montano

The judgment is modified by adding nine additional days of custody credit pursuant to Penal Code section 2900.5, subdivision (a), resulting in a total precommitment credit award of 765 days and, as so modified, the judgment is affirmed. The trial court is directed to forward to the Department of Corrections an amended abstract of judgment reflecting the above modification.

Kitching, J.

We concur: Klein, P.J.  
Croskey, J.

B207962      People      (Not for Publication)  
v.  
Sochil Triana Cruz

The judgment is affirmed.

Kitching, J.

We concur: Klein, P.J.  
Croskey, J.

B202960      People                                  (Not for Publication)  
v.  
Kenneth Peoples, et al.

The judgment is affirmed.

Aldrich, J.

We concur: Klein, P.J.  
Croskey, J.

### DIVISION THREE (continued)

B207106 People (Not for Publication)  
v.  
Francisco Acosta

The abstract of judgment is ordered to reflect that the sentence imposed on count 2 for robbery is stayed under section 654. The clerk of the superior court is directed to correct the abstract of judgment and to forward the corrected abstract of judgment to the Department of Corrections. The judgment is affirmed as modified.

Aldrich, J.

We concur: Klein, P.J.  
Kitching, J.

## DIVISION FOUR

B206560 People (Not for Publication)  
v.  
Cox

The judgment is affirmed.

Manella, J.

We concur: Willhite, Acting P.J.  
Suzukawa, J.

DIVISION FIVE

B204874 Kevin Farr  
v.  
California Coastal Commission, et al.,  
Michael Doyle, et al.,

Filed order certifying opinion for publication.

## DIVISION SEVEN

B210613      Los Angeles County, D.C.F.S.      (Not for Publication)  
v.  
Ruby T.

The order to the superior court is affirmed.

Zelon, J.

We concur: Woods, Acting P.J.  
Jackson, J.

[illegible]

The judgment is affirmed.

Jackson, J.

We concur: Perluss, P.J.  
Woods, J.

B207825 People (Not for Publication)  
v.  
Henry

The judgment is affirmed.

Jackson, J.

We concur: Perluss, P.J.  
Zelon, J.



May 19, 2009 (Continued)

## DIVISION SEVEN (continued)

B209613      People                          (Not for Publication)  
v.  
Anderberg

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The judgment is affirmed.

Jackson, J.

We concur: Perluss, P.J.  
Zelon, J.

B210952      People      (Not for Publication)  
v.  
Oliver

The judgment and order are affirmed.

Woods, Acting P.J.

We concur:   Zelon, J.  
                      Jackson, J.

## DIVISION EIGHT

B210400      People                                (Not for Publication)  
v.  
**Ramirez**

The judgment is affirmed.

Bigelow, J.

We concur: Flier, Acting P.J.  
Bauer, J. (Assigned)

May 19, 2009 (Continued)

DIVISION EIGHT (continued)

B205991      Smadi, Inc.                      (Not for Publication)  
                 v.  
                 Levaton

The trial court order dated October 12, 2007, denying Appellant's motion to set aside, vacate and cancel judgment after default filed on May 6, 1997 is affirmed. Respondent Smadi, Inc. to be awarded its costs on appeal.

Bigelow, J.

We concur: Flier, Acting P.J.  
                 Bauer, J. (Assigned)